

60,298-397; ST 231

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Butcher, et al.  
Serial No.: 09/963,772  
Filed: 09/26/2001  
Group Art Unit: 2836  
Examiner: Nguyen, Danny  
For: OVERLOAD STATUS INDICATOR  
FOR A REFRIGERATION UNIT

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

This is in response to the Failure to Acceptably Respond mailed August 13, 2004. A brief explanation of the history of this application is in order. The application was filed with original claims 1-13. On June 7, 2004, applicant filed a response to an office action dated March 17, 2004. That response amended several of the claims, cancelled claims 11-13, and added new claims 14-17. On June 22, 2004, the first Notice of Non-Compliant Amendment was mailed. This Notice alleged that there were no claims 11-13. Clearly, the Amendment mailed in June cancelled claims 11-13, and clearly claims 11-13 were included with the application as filed. Thus, it appears this Notice was incorrect. However, in response to this Notice, on July 8, 2004, applicant resubmitted the amended claims, and renumbered new claims 14-17 as claims 11-14. The "Failure to Acceptably Respond" document mailed August 13, 2004 properly

1

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